United Nations S/2011/319

Security Council

Distr.: General
18 May 2011
English
Original: French

Letter dated 18 May 2011 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that the members of the Security Council have decided to send a mission to Ethiopia, Sudan and Kenya from 19 to 26 May 2011. The Addis Ababa segment of the mission will be led by Ambassador Gérard Araud of France. The Khartoum, Abyei and Juba segment of the mission will be co-led by Ambassador Susan Rice of the United States of America and Ambassador Vitaly Churkin of the Russian Federation, and the Nairobi segment will be co-led by Ambassador Mark Lyall Grant of the United Kingdom of Great Britain and Northern Ireland and Ambassador Baso Sangqu of South Africa. The members of the Council have agreed to the attached terms of reference for the mission (see annex).

The composition of the mission is as follows:

Ambassador Ivan Barbalić (Bosnia and Herzegovina)
Ambassador Maria Luiza Ribeiro Viotti (Brazil)
Counsellor Tian Lin (China)
Ambassador Néstor Osorio (Colombia)
Ambassador Gérard Araud (France)
Ambassador Nelson Messone (Gabon)
Ambassador Peter Wittig (Germany)
Ambassador Hardeep Singh Puri (India)
Ambassador Nawaf Salam (Lebanon)
Ambassador Raff Bukun-Olu Wole One[illegible]ola (Nigeria)
Ambassador João Maria Cabral (Portugal)
Ambassador Vitaly Churkin (Russian Federation)
Ambassador Baso Sangqu (South Africa)
Ambassador Mark Lyall Grant (United Kingdom of Great Britain and Northern Ireland)
Ambassador Susan Rice (United States of America)

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Gérard **Araud**
President of the Security Council

Please recycle

Annex

Security Council mission to Africa (May 2011)

Terms of reference

Mission to the African Union, Addis Ababa

Led by Ambassador Gérard Araud (France)

1. To continue to develop an effective partnership and enhance cooperation between the African Union and the United Nations through an exchange of views on issues of interest to both the United Nations Security Council and the African Union Peace and Security Council.

2. To exchange views on situations of interest to both the United Nations Security Council and the African Union Peace and Security Council, which include but are not limited to the following:

2.1 A brief overview of the peace and security situation in Africa;

2.2 Situation in the Sudan:

- African Union/United Nations Hybrid Operation in Darfur (UNAMID):
  - Humanitarian and security situation/implementation of UNAMID mandate;
  - Peace process;
- Comprehensive Peace Agreement/United Nations Mission in the Sudan:
  - Remaining Comprehensive Peace Agreement issues/implementation of the mandate of the United Nations Mission in the Sudan (UNMIS);
  - Situation in Abyei;
  - Security situation in South Sudan;
  - Prospects for South Sudan;

2.3 Situation in Somalia:

- Humanitarian and security situation/progress made by the African Union Mission in Somalia (AMISOM) and Transitional Federal Government forces;
- Status of implementation of transitional tasks and of the process on post-transitional agreements;
- Piracy/implementation of resolution 1976 (2011);

2.4 Situation in Libya:

- Challenges of establishing a ceasefire and a political process: strengthening coordination between the United Nations and regional initiatives;
- Humanitarian situation in Libya;

2.5 Situation in Côte d'Ivoire:

- Political and security developments;
- Challenges to stabilization and national reconciliation;

- Coordination between the United Nations, the African Union and the Economic Community of West African States to solve the crisis and help the reconstruction.

Mission to the Sudan

Led by Ambassadors Susan Rice (United States of America) and Vitaly Churkin (Russian Federation)

1. To congratulate the parties to the Comprehensive Peace Agreement and the people of the Sudan for a peaceful and successful referendum.

2. To reaffirm the Security Council's commitment to and the international community's support for the full implementation of the Comprehensive Peace Agreement, and the continued negotiations between the parties to the Agreement, including under the auspices of the African Union High-Level Implementation Panel and its Chair, President Thabo Mbeki. To emphasize that the conclusion of the Comprehensive Peace Agreement interim period, on 9 July, is soon approaching; thus, the parties need to meet at the highest level, as necessary, to reach agreement on outstanding Agreement issues and post-Agreement arrangements, and to engage with the United Nations on the future of the Organization's presence in the Sudan.

3. To assess ongoing preparations for independence in Southern Sudan and to emphasize the importance of addressing the challenges faced by Southern Sudan, including security, humanitarian and development needs and capacity-building. To emphasize the importance of continued cooperation between the parties to the Comprehensive Peace Agreement after the independence of Southern Sudan, to recall both parties' commitment not to take any action or to support any group that would undermine the security of the other and to underline that the Security Council will not tolerate any support to proxy militias by either party.

4. To reiterate the importance of the parties to the Comprehensive Peace Agreement reaching an agreement on Abyei's post-Agreement status and to acknowledge that it is the responsibility of the parties, including during their negotiations under the auspices of the African Union High-Level Implementation Panel and its Chair, President Thabo Mbeki, to reach agreement on the status of Abyei. In this regard, the Security Council acknowledges the July 2009 ruling by the Permanent Court of Arbitration, which defines the borders of Abyei.

5. To reiterate the importance of increased participation of women at all stages of the Sudanese peace process and the need for effective and appropriate means to engage women in Sudanese public life. To stress the importance the Security Council attaches to the protection of civilians and to reiterate the need for the parties to fulfil their responsibility to respect and ensure the human rights of all individuals and to take all feasible steps to meet their basic needs. In this regard, to call on the parties to give attention to the specific needs of women and children — especially regarding their protection against sexual violence — refugees, internally displaced persons, as well as other civilians who may have specific vulnerabilities, including persons with disabilities and older persons.

6. To underline the need for the parties to the Comprehensive Peace Agreement to promote calm, including by providing immediate and ongoing assurance to people of all nationalities in the Sudan, including Southerners in the North and

Northerners in the South, that their rights, safety and property will be respected. To urge the parties to the Agreement to respect their obligations in this regard.

7. To reiterate the Security Council's support for UNMIS, to underline the importance of the Governments of the Sudan and of Southern Sudan and all relevant parties providing full and unhindered access, including to Abyei, to assess its performance, within its current mandate and capabilities, and to consider options for configuring the United Nations presence in the Sudan after 9 July 2011. To express concern about recent violence between the Sudan People's Liberation Army (SPLA) and local militias in Southern Sudan, specifically in Jonglei, Upper Nile and Unity states, and to call on the Government of Southern Sudan to find peaceful solutions to the violence, prevent further clashes and restore calm.

8. To emphasize the importance of continuing efforts to support the people of the Sudan, democratic governance, rule of law, accountability, equality, respect for human rights, justice and economic development, in particular the establishment of the conditions for conflict-affected communities to build strong, sustainable livelihoods.

9. To stress the responsibility of all central and local authorities of the Sudan for the safety of members of peacekeeping missions, humanitarian workers and all those working under local contracts.

10. To express the Security Council's deep concern about the level of violence over the past several months in Darfur, including ceasefire violations, attacks by rebel groups and aerial bombardment by the Sudanese armed forces; the number of civilian casualties and displacements; the illegal arms flow into Darfur; and the continued restrictions on humanitarian access.

11. To reiterate the Security Council's support for UNAMID, including the increasingly full implementation of its chapter VII mandate. To reiterate its demand that the Government of the Sudan and the armed movements cease hostilities and ensure full and unhindered access, by land and by air, for UNAMID and humanitarian workers.

12. To reiterate the Security Council's support for the African Union-United Nations-led peace process, hosted by the State of Qatar, to strongly urge all other rebel movements to join the peace process without further delay or preconditions and to underline the importance of all parties in Doha making the necessary concessions urgently to conclude a ceasefire and political agreement. To emphasize the potential complementary role that a Darfur-based political process could play to ensure the participation and support of the people of Darfur and better enable them to be involved in the outcome of the Doha peace process, and to express concern that important aspects of the enabling environment necessary for a Darfur-based political process, including those set out in the statement of the President of the Security Council of 21 April 2011 (S/PRST/2011/8) are not in place. To underline the importance of the Government of the Sudan and the armed movements contributing to the creation of such an enabling environment for a Darfur-based political process, working closely with UNAMID, as appropriate, and to call, in particular, on the Government of the Sudan to fulfil its stated commitment to lift the state of emergency in Darfur.

13. To call on the Government of the Sudan to release all political detainees, to allow free expression and to undertake effective efforts to ensure accountability for

serious violations of human rights and international humanitarian law, by whomsoever perpetrated the acts.

14. To underline the need to ensure that Security Council resolutions are implemented.

Mission to Nairobi

Led by Ambassadors Mark Lyall Grant (United Kingdom of Great Britain and Northern Ireland) and Baso Sangqu (South Africa)

1. To reiterate its grave concern at the continued instability in Somalia, which has led to a multitude of problems, including terrorism, acts of piracy and armed robbery at sea off the coast of Somalia, hostage-taking and a dire humanitarian situation, and to reiterate the need for a comprehensive strategy to encourage the establishment of peace and stability in Somalia through the collaborative efforts of all stakeholders.

2. To reaffirm the Security Council's support for the Djibouti Agreement as the basis for the resolution of the conflict in Somalia; to reiterate the importance of political outreach, reconciliation and the development of broad-based, representative institutions reached through a political process ultimately inclusive of all.

3. To reaffirm the Security Council's support for the work of Augustine P. Mahiga, Special Representative of the Secretary-General, the United Nations and the African Union to promote peace and reconciliation in Somalia. To encourage an increased United Nations presence in Mogadishu and other parts of Somalia and to call upon the United Nations to work in a coordinated manner.

4. To reiterate the Security Council's support for the work of the Special Representative of the Secretary-General to facilitate the consultative process among Somalis in their efforts to reach agreement on post-transitional arrangements, in consultation with the international community, including the United Nations, the African Union and the Intergovernmental Authority on Development, and within the framework of the Djibouti Agreement. To urge the Transitional Federal Institutions to engage fully, constructively and without further delay in the consultative process facilitated by the Special Representative of the Secretary-General, and to stress the importance of wide participation by Somali stakeholders in this process, including the upcoming consultative meeting to be held in Mogadishu.

5. To reiterate the primary responsibility of Somalis to achieve peace, security and reconciliation in Somalia. To urge the Transitional Federal Institutions to refrain from further unilateral action regarding their mandates. To emphasize the importance of the Institutions focusing on implementing reforms to build their legitimacy, representativeness and credibility, and to reach agreement as soon as possible on the holding of elections for the positions of President and Speaker of Parliament, without which there can be no extension.

6. To urge the Transitional Federal Institutions to demonstrate tangible results on the completion of the core transitional tasks before the end of the transition, prioritizing progress on reconciliation, the constitution and the delivery of basic services. To note the Security Council's intention to keep the situation under review and to note that its future support to the Institutions will be contingent upon the delivery of tangible results.

7. To express concern at the discord between the Transitional Federal Institutions and its impact on the political process and the security situation. To encourage the Institutions to ensure cohesion, unite and focus on the completion of the transitional tasks set out by the Djibouti Agreement and the Transitional Charter.

8. To stress the need for the international community to support further stabilization, peacebuilding and socio-economic reconstruction in Somalia, particularly in areas of relative stability throughout Somalia.

9. To reiterate the Security Council's full support for AMISOM, to strongly commend the progress made by AMISOM and the Somali National Security Forces in the consolidation of security and stability in Mogadishu, and to commend the contribution of AMISOM to lasting peace and stability in Somalia. To stress the need for the international community to make contributions urgently and without caveats to the United Nations Trust Fund for AMISOM or directly in support of AMISOM and to stress the importance of predictable, reliable and timely resources for AMISOM in order for it to better fulfil its mandate. To note the recommendations on Somalia of the African Union Peace and Security Council of 15 October 2010 and to underline its intention to keep the situation under review.

10. To emphasize the importance of strengthening the Somali security forces, including the development of effective command and control, and to stress the need for assistance and support to the Somali security forces by the international community.

11. To express the Security Council's condemnation of all attacks, including terrorist attacks on the Transitional Federal Government, AMISOM and the civilian population by armed opposition groups, and foreign fighters, particularly Al-Shabaab.

12. To express serious concern about the worsening humanitarian situation in Somalia and the impact of the current drought; to stress the need for the international community to support the United Nations consolidated appeal and other appeals urgently; and to express its condemnation of the targeting and obstruction of the delivery of humanitarian aid by Al-Shabaab and other armed groups in Somalia.

13. To stress the responsibility of all parties and armed groups in Somalia to comply with their obligations to protect the civilian populations from the effects of hostilities, in particular by avoiding any indiscriminate or excessive use of force.

14. To reiterate the importance of increased participation of women at all stages of the Somali peace process and the need for effective and appropriate means to engage women in the public life of Somalia.

15. To express deep concern about the continuing violations and abuses committed against children in Somalia by parties to the conflict and to urge the immediate implementation of all conclusions of the Working Group on Children and Armed Conflict in Somalia.

16. To recognize that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery, to stress the need for a comprehensive response to tackle piracy and its underlying causes, and to note the importance of cooperation between Member States on the issue of hostage-taking.

17. To underline the importance of enhancing work to address the problems caused by the limited capacity of the judicial system of Somalia and other States in the region to effectively prosecute, detain and deter suspected pirates.

18. To emphasize the need to ensure effective coordination of anti-piracy efforts and, in that regard, to recall the Security Council request to the Secretary-General to strengthen the United Nations Political Office for Somalia as the United Nations focal point for counter-piracy, including the Kampala process.

19. The Security Council calls upon all States, particularly in the region, to fully implement the Somalia and Eritrea arms embargoes, bearing in mind that strict enforcement of the embargoes will improve the overall security situation in the region.